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Planning Commission Staff Report

TO: PLANNING COMMISSION

FROM: AMY TEMES, SENIOR PLANNER *AT*
(480) 503-6729, AMY.TEMES@GILBERTAZ.GOV

THROUGH: CATHERINE LORBEER AICP, PRINCIPAL PLANNER *ajl*
(480) 503-6016, CATHERINE.LORBEER@GILBERTAZ.GOV

MEETING DATE: JUNE 6, 2018

SUBJECT: Z18-16, HHB HEIGHTS: REQUEST TO AMEND ORDINANCE NO. 2506 AND AMEND THE CONDITIONS OF DEVELOPMENT WITHIN THE POWELL HEIGHTS PLANNED AREA DEVELOPMENT FOR APPROX. 13 ACRES OF REAL PROPERTY GENERALLY LOCATED NORTH OF THE NORTHEAST CORNER OF VAL VISTA DRIVE AND CHANDLER HEIGHTS ROAD AND ZONED SINGLE FAMILY-15 (SF-15) WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY

STRATEGIC INITIATIVE: Community Livability To allow for design coordination between new residential developments.

RECOMMENDED MOTION

For the reasons set forth in the staff report, move to recommend approval to the Town Council for approval of Z18-16, as requested, subject to the conditions listed in the staff report.

APPLICANT/OWNER

Company: HHB Real Estate Investing, Inc
Name: Marissa Eick
Address: 1490 S. Price Road, #315
Chandler, AZ 85286
Phone: 480-699-1157

Email: marissa@hhbgroup.net

BACKGROUND/DISCUSSION

History

Date	Description
<i>January 8, 2008</i>	Town Council adopted Annexation No. A07-77, Ordinance No. 2110.
<i>June 10, 2008</i>	Town Council adopted Rezoning No. Z08-18, Ordinance No. 2175.
<i>October 1, 2014</i>	Town Council adopted Rezoning No. Z14-17, Ordinance No. 2506.

Overview

The site is a 13 acre, 13 lot subdivision currently under development. During the final rezoning and preliminary plat approvals, the owner asked about the potential for Maracay to redesign their development across Val Vista Drive to the west such that it aligned with the approved right in/right out only entrance to the HHB subdivision. This request was due to upcoming capital improvements to Val Vista drive that will construct a center median. Maracay's (Hamstra) development entry was designed at the ¼ quarter section line and consistent with Town standards for full motion access. Because redesigning Maracay's entry would not comply with engineering distancing standards, HHB has worked with staff to design a "frontage road" like entry drive that safely aligns with Maracay's full motion access and meets all of Town Engineering standards.

The request is to amend the existing development plan to depict the change in entry location and to reduce the open space requirement.

Surrounding Land Use & Zoning Designations:

	Existing Land Use Classification	Existing Zoning
North	Residential > 0-1 DU/Acre	Maricopa County RU-43
South	Community Commercial	Community Commercial (CC)
East	Residential > 0-1 DU/Acre	Single Family-43 (SF-43)
West	Residential > 2-3.5 DU/Acre	Single Family-7 (SF-7)
Site	Residential > 0-1 DU/Acre	Single Family-15 (SF-15)

Rezoning

The request is to amend the PAD development plan and reduce the required landscape setback/area along Val Vista Drive from 20' to 8' and to reduce the amount of open space from 10%, with oversized lots to 6.9% with oversized lots. The Development Plan modification is due to the relocation of the primary ingress/egress to align with the Maracay development/full motion access to the west. Due to the alignment of the ingress/egress through the previously designed retention basin, the open space provided has been reduced to 6.9 %. Staff and the applicant both agreed that this was the best and safest access solution while meeting the needs of both developers. The only other change to the HHB subdivision is that the subdivision was

administratively modified to become gated. Therefore, no dedication of internal public streets will be required since gated communities are private streets maintained by the HOA/POA. The condition requiring the dedication of internal public streets has been struck.

Note: The preliminary plat will be amended administratively following the rezoning.

Development Standards	Existing LDC and Ordinance No. 2506	Proposed (Development Plan)
Zoning District	SF-15 PAD	SF-15 PAD
Min. Lot Area	20,000 sf Min.	20,000 sf Min.
Min. Lot Dimensions Width/ Depth	110' / 120'	110' / 120'
Min. Arterial Street Frontage Landscaping Depth	20'	8'
Min. Open Space Percentage	10% with Min. lot size increased more than 15% over 15,000 sf	6.9%

Note: Modification of Development Plan roadway design

PUBLIC NOTIFICATION AND INPUT

A notice of public hearing was published in a newspaper of general circulation in the Town, an official notice was posted in all the required public places within the Town and neighborhood notice was provided per the requirements of the Land Development Code Article 5.205.

A neighborhood meeting was held on May 30, 2018. An update will be provided on the night of public hearing if any comments are received.

PROPOSITION 207

An agreement to “Waive Claims for Diminution in Value” Pursuant to A.R.S. § 12-1134 was signed by the landowners of the subject site, in conformance with Section 5.201 of the Town of Gilbert Land Development Code. This waiver is located in the case file.

REASONS FOR THE RECOMMENDATION

1. The proposed zoning amendment conforms to the General Plan as amended, any applicable Specific Area Plan, neighborhood, or other plan and any overlay zoning district.
2. All required public notice has been conducted in accordance with applicable state and local laws.
3. All required public meetings and hearings have been held in accordance with applicable state and local laws.
4. The proposed rezoning supports the Town’s strategic initiative for Community Livability. It supports the motto “Gilbert: Clean, Safe, Vibrant.”

STAFF RECOMMENDATION

For the following reasons: the development proposal conforms to the intent of the General Plan and can be appropriately coordinated with existing and planned development of the surrounding areas, and all required public notice and meetings have been held, the Planning Commission moves to recommend approval to the Town Council for Z18-16 amending Ordinance No. 2506 and amending the conditions of development within the Powell Heights Planned Area Development for approximately 13 acres of real property generally located north of the northeast corner of Val Vista Drive and Chandler Heights Road and zoned Single Family-43 (SF-43) zoning district with a Planned Area Development (PAD) overly, subject to the following conditions:

1. The site, Powell Heights Planned Area Development (PAD) shall be developed in conformance with the Town's zoning requirements for the Single Family-15 (SF-15) zoning district and all development shall comply with the Town of Gilbert Land Development Code except as modified by the following:

Zoning District	Standard	Minimum
SF-15	Minimum Lot Area (sq.ft.per d.u.)	20,000
	Minimum Open Space Percentage	6.9%
	Val Vista Drive landscape setback/area dimension	8'

- ~~2. Prior to final plat approval, the developer shall either enter into an Development Reimbursement Lien Agreement or shall pay Gilbert a cash in lieu payment for the estimated costs of design and construction of half street improvements on Val Vista Drive adjacent to the subject property, per the Town's CIP plans for this area (ST112), consistent with the Town of Gilbert Land Development Code, Subdivision Regulations, Section 1.107, and as determined by the Town Engineer. Such cash in lieu payment may include curb, gutter, sidewalks, deceleration lanes, one half of any required medians, paving, streetlights, signing, striping and landscaping, but shall not include those items that are being installed by the developer as part of its work on the subject property prior to work commencing on ST112.~~
3. The developer shall provide residential buyer disclosure for each lot acknowledging for current and future residents the proximity of active farming and ranching activities, including routine occurrence of odors, noises and off-hour business operations originating from said activities.

- ~~4. At the written request of Gilbert, Developer shall dedicate the right-of-way for Powell Way and the other public roadway improvements contemplated as part of the project, including any necessary easements for drainage and retention and temporary construction easements. Failure to dedicate said easements within thirty (30) days after the date of Gilbert's written request may result in the reversion of the zoning of the Property to the prior zoning classification.~~
5. At the written request of Gilbert, Developer shall dedicate the right-of-way and the other necessary easements for drainage and retention and temporary construction easements. Failure to dedicate said easements within thirty (30) days after the date of Gilbert's written request may result in the reversion of the zoning of the Property to the prior zoning classification.
6. Developer shall create a Homeowner's Association (HOA) for the ownership, maintenance, landscaping, improvements and preservation of all common areas and open space areas and landscaping within the rights-of-way. Maintenance responsibilities for common areas and open space areas shall be specified on the approved site plan or final plat.

Respectfully submitted,

Amy Temes
Senior Planner

Attachments:

Attachment 1	Notice of Public Hearing
Attachment 2	Aerial Photo with Hamstra/Maracay development depicted
Attachment 3	Zoning Exhibit
Attachment 4	Development Plan

Notice of Public Hearing

Z18-16: HHB Heights
Attachment 1 - NOPH
June 6, 2018

PLANNING COMMISSION DATE:

Wednesday, June 6, 2018* TIME: 6:00 PM

TOWN COUNCIL DATE:

Thursday, June 21, 2018 * TIME: 6:30 PM

* Call Planning Department to verify date and time: (480) 503-6729

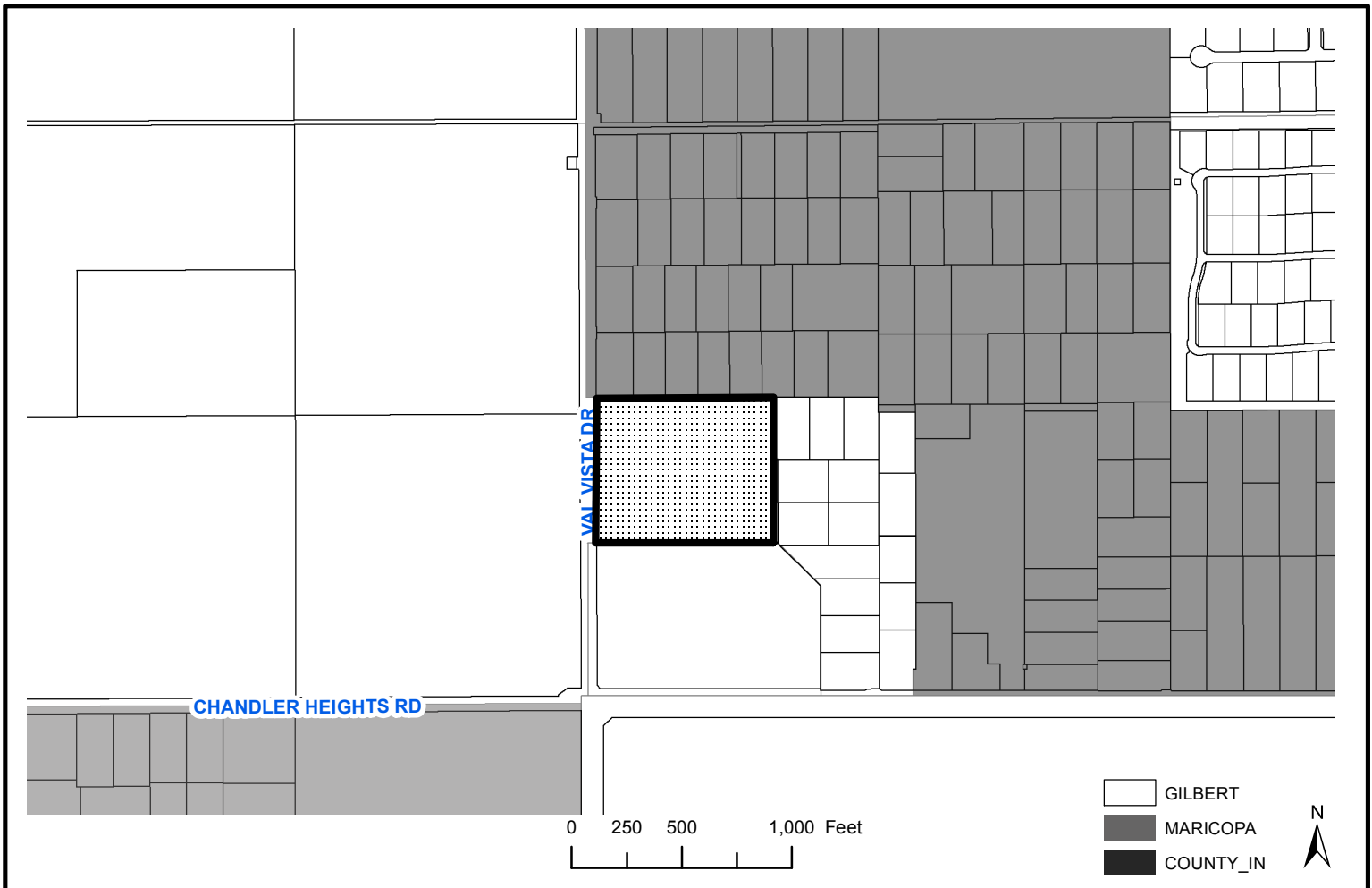
**LOCATION: Gilbert Municipal Center
Council Chambers
50 E. Civic Center Drive
Gilbert, Arizona 85296**

* The application is available for public review at the Town of Gilbert Development Services division Monday - Thursday 7 a.m. - 6 p.m. Staff reports are available prior to the meeting at <http://www.gilbertaz.gov/departments/development-services/planning-development/planning-commission> and <http://www.gilbertaz.gov/departments/clerk-s-office/boards-commissions/town-council>

REQUESTED ACTION:

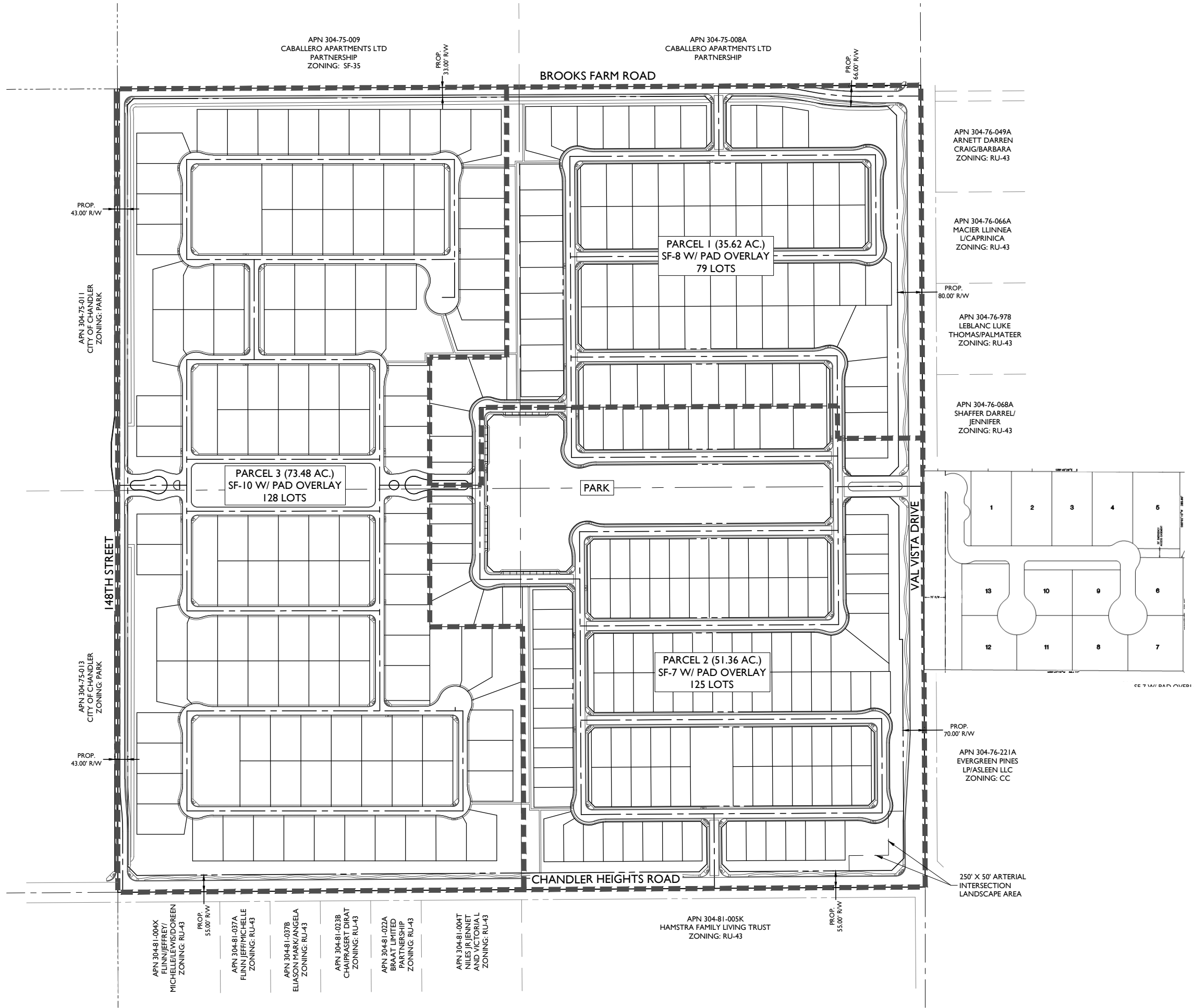
Z18-16: Request to rezone approximately 13.11 acres of real property generally located north of the northeast corner of Chandler Heights Road and Val Vista Drive from Single Family-15 (SF-15) zoning district with Planned Area Development zoning district to Single Family-15 (SF-15) zoning district with a Planned Area Development Overlay. The effect of the rezoning will be to amend the existing development plan, reduce the front landscape setback/area requirement along Val Vista Drive, and reduce the requirement for common open space.

SITE LOCATION:



APPLICANT: HHB Real Estate Investing Inc.
CONTACT: Marissa Eick
ADDRESS: 1425 W. Elliot Rd., Ste. 104
Gilbert, AZ 85233

TELEPHONE: (480) 699-0195
E-MAIL: marissa@hhbgroup.net

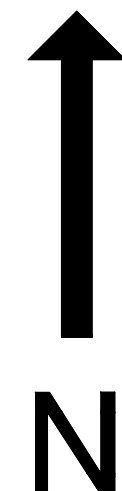
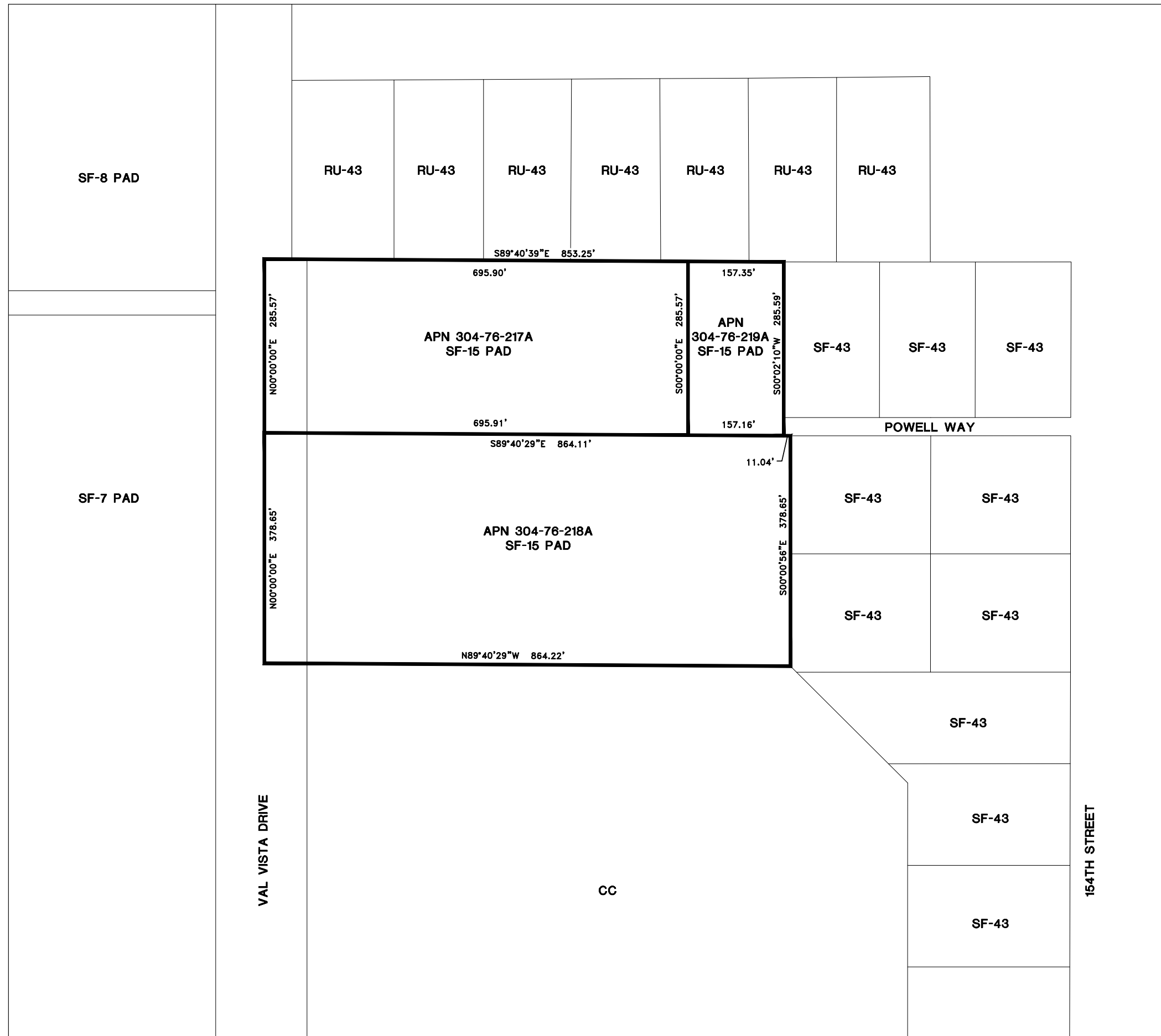


**Z18-16: HHB Heights
Attachment 3 - Zoning Exhibit
June 6, 2018**

APN'S:
304-76-217A
304-76-219B
304-76-218A

**HHB REAL ESTATE INVESTING, INC.
ZONING EXHIBIT**

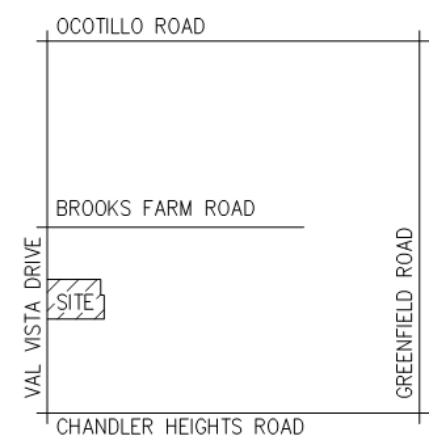
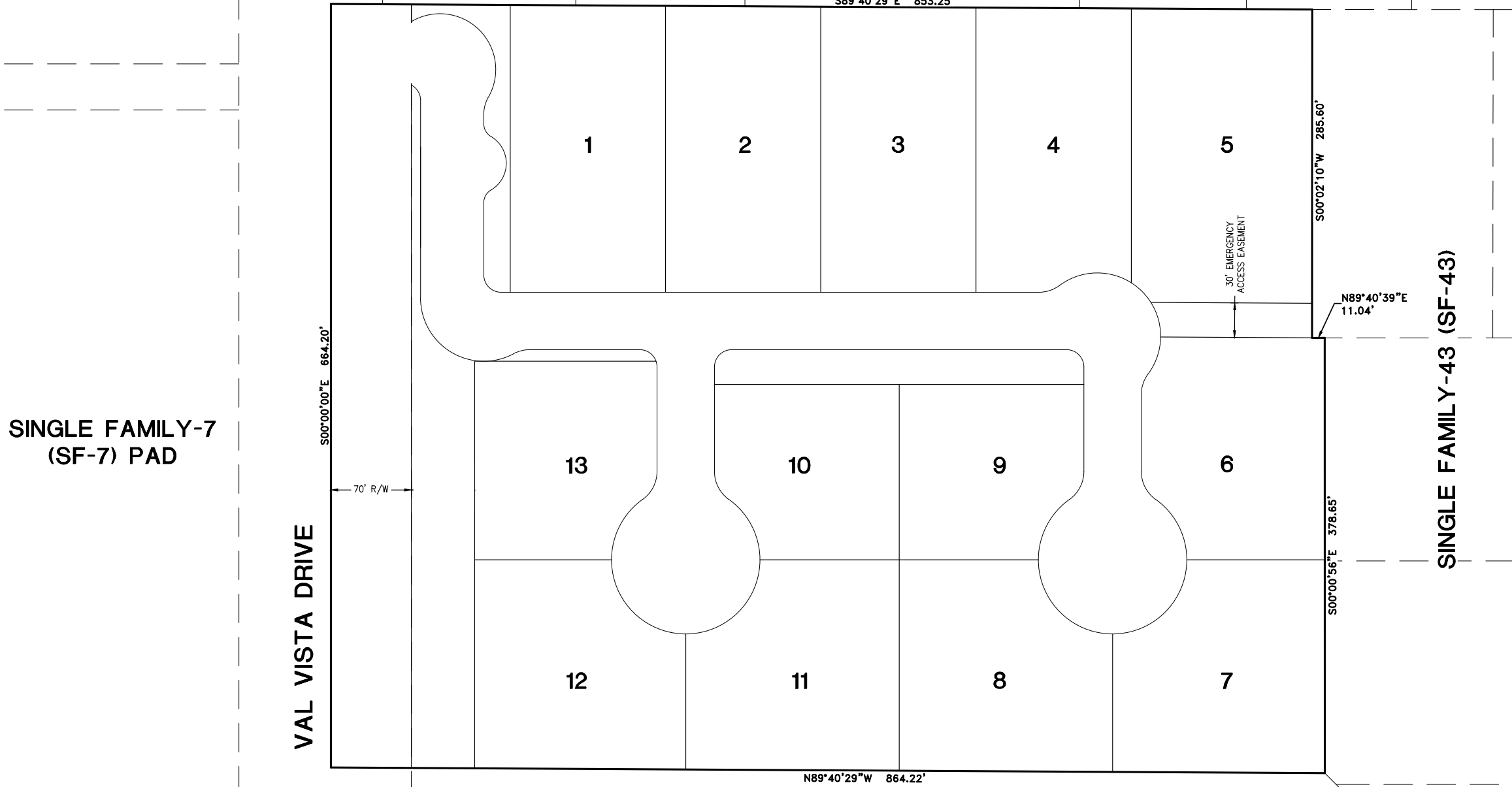
TOTAL ACREAGE: 13.1



SINGLE FAMILY-8
(SF-8) PAD

SINGLE FAMILY-7
(SF-7) PAD

VAL VISTA DRIVE



VICINITY MAP
NOT TO SCALE

PROJECT DATA TABLE	
GROSS ACRES	13.11 ACRES
NET ACRES	12.49 ACRES
CURRENT ZONING DISTRICT	SINGLE FAMILY-43 (SF-43)
PROPOSED ZONING DISTRICT	SINGLE FAMILY-15 (SF-15)
CURRENT GENERAL PLAN DESIGNATION	RESIDENTIAL > 0-1
DU/AC	
PROPOSED GENERAL PLAN DESIGNATION	RESIDENTIAL > 0-1 DU/AC
OPEN SPACE	0.87 ACRES (6.9%)
20,000 sf Min. Lot Size	
REDUCED FRONT LANDSCAPE SETBACK/AREA TO 8'	

